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Report of the Secretary-General submitted in accordance with Commission on Human Rights resolution 1994/21

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Introduction

1. In its resolution 1994/21 of 1 March 1994, the Commission on Human Rights, having considered the report of the Working Group on the Right to Development on its first session (E/CN.4/1994/21 and Corr.1), requested the Secretary-General to invite Governments, international financial institutions, the regional economic commissions, the relevant bodies and organizations of the United Nations system and non-governmental organizations to provide the Working Group with the necessary additional information, taking into account, inter alia, the preliminary guidelines and the check-list contained in annex I to the report of the Working Group.

2. Pursuant to this request, the Secretary-General, on 26 April 1994, addressed a note verbale to Governments and a letter to United Nations bodies and specialized agencies, to intergovernmental and non-governmental organizations transmitting the text of Commission resolution 1994/21, as well as the guidelines and check-list prepared by the Working Group.

3. The present report is based on the additional information which was received from non-governmental organizations by 17 March 1995 and should be seen as complementary to the report which was prepared on the basis of information received from non-governmental organizations by 30 August 1994 (E/CN.4/AC.45/1994/5).

REPLIES RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

Organization for Solidarity with the Peoples of Africa and Asia

4. As regards the points raised concerning aspects of the possible and likely consequences of measures implemented to address development issues in developing countries, the Organization for Solidarity with the Peoples of Africa and Asia, while stressing the right to development, wishes to emphasize the harmful repercussions, which are likely to extend into the twenty-first century, of a certain policy which is systematically followed in respect of human rights and the rights of people.

5. The policy in question is being promoted by the international financial institutions by means of the instrument known as the Structural Adjustment Policy (SAP). It involves an imposition of their will - which is a deliberate violation of fundamental rights - and is directed against individual and collective rights. Since the key objective of this policy is the securing of quick profits to enable debtor countries to discharge their foreign debt, its effects and consequences will certainly and unquestionably be felt well into the next century.

6. The deliberate violation of rights by the implementation of this policy affects primarily fundamental rights and freedoms in the socio-economic spheres - health, education, employment, food, etc. - and the environment. But further proof of this violation of rights is to be found in another factor. The international financial institutions are making political and civil rights their key priority and primary concern, and in so doing are minimizing or disregarding the concept of the universal and indivisible nature of human rights, which has been universally accepted and unanimously adopted by the international community (and reinforced by the World Conference on Human Rights).

7. This brings us to the subject of the right to development, which incorporates a number of elements, namely the right to a healthy and decent life, to subsistence, health, education, employment, the unfettered development of one's personality and free self-expression. All of these constitute fundamental elements of the rights of communities, peoples and nations.

8. It is accepted that development is a global concept resting on the premise that the violation of any one or other of its elements (see above) constitutes an attack on development itself. The harmful impact on these rights of the Structural Adjustment Policy will have serious repercussions over the long term on the physical, intellectual and moral health of nations. In such a context, how can full enjoyment of the right to development be envisaged when the necessary conditions for a development which we would wish to be lasting are excluded?

9. There are also other worrying factors with a potential for aggravating these harmful repercussions and prolonging them into the next century. Sterile and unproductive developments such as civil war and ethnic conflicts are negative factors impeding the socio-economic development of the countries in which they occur and also the development of neighbouring countries

(problems of refugees, etc.). Given that these developments spring from these countries' internal problems - which are further exacerbated by current winds of change and transformations on the international plane - the mere fact of being host - deliberate or involuntary, unpremeditated or intentional - to a civil war or ethnic/tribal conflict of one kind or another - amounts ipso facto to an act of self-destruction by the country concerned and violation of its own right to development, and the other rights (both individual and collective) forming part of the right to development are affected thereby and suffer the consequences thereof. The warring countries must therefore come to a proper understanding of the true impact of civil wars and other internal conflicts on their development, and in particular their socio-economic progress, as well as the possibility of extension of that impact to neighbouring regions.

10. Embargoes on a country also unquestionably constitute another aspect of violations of the rights of people to development inasmuch as the country is strangled over the long term; the embargo against Cuba is a typical example.

11. To return to the Structural Adjustment Policy, it should be mentioned that the way in which the international financial institutions resolve the foreign debt problem of developing countries is detrimental to the latter's socio-economic rights. These institutions can, of course, bring considerable influence to bear on the policies which developing countries intend to implement. They are fully free to do so, since the wealthy Western powers control 90 per cent of the votes in those institutions and have the largest quotas. Moreover, it must be emphasized that these institutions are protected against interference from United Nations Headquarters, despite the fact that they are officially specialized agencies within the United Nations system. This last-mentioned situation suggests a structural reform of the machinery of this international organization and of the management of world finances, both of which seem ill-adapted to a new world order characterized by the deepening North-South divide between rich and poor nations. A fair and genuine democratization process is also necessary to give developing countries a voice in decision-making as well as the right to scrutiny of the activities of international financial institutions. It is in this context that we wish to stress the urgency of reviewing the agreements between the United Nations and the IMF/World Bank group, which serve primarily to ensure the group's protection against interference by the United Nations.